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Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Cosford, *et al.*

Serial No.: 10/551,574

Case No.: MS0037YP

Art Unit:

1626

Filed: October 3, 2005

Examiner:

Grazier, N.

For: DIARYL SUBSTITUTED PYRROLE MODULATORS OF
METABOTOPIC GLUTAMATE RECEPTOR- 5

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

Sir:

This paper is responsive to the Office Action mailed March 29, 2007.

Applicants are required to elect a single invention for examination. Subject to the traversal contained in the remarks provided below, Applicants provisionally elect the invention of Group I, further limited such that A is C₀₋₄alkyl, B is C₀₋₄alkyl, X is aryl, W is C₀₋₆alkylheteroaryl, Y is heteroaryl, and Z is absent, where each of A, B, X, W and Y are unsubstituted or substituted as described in claim 1.

Applicants are further required to elect a single species for examination. Subject to the traversal contained in the remarks provided below, Applicants provisionally elect the species described in Example 1 of the specification, namely 2-[1-(3-pyridin-3-ylphenyl)-1H-pyrrol-3-yl]pyridine.

Without commenting on the genus claims, Applicants respectfully point out that the species recited in claim 11 share numerous common structural features. Thus, this election is made with traverse because it is believed there is sufficient structural similarity among the compounds recited in claim 11 to present and examine this subject matter in a single application. Given the commonality of the subject matter of claim 11, examination of claim 11 as presented does not

place a serious search burden upon the Examiner. Applicants therefore respectfully request that, at a minimum, claim 11 as presented be examined in this application.

If there are any issues outstanding after consideration of this election, the Examiner is invited to contact the undersigned to expedite prosecution of this case.

Attorney for Applicants can be reached at the telephone number and address below.

Correspondence should continue to be sent to the address below. Although no fees are believed to be due, any fees occasioned by this paper or any fee overpayments should be charged or credited to Deposit Account **13-2755**.

Respectfully submitted,

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Date: April 9, 2007

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on the date appearing below.

MERCK & CO., INC.

By: A. Reynolds Date 4-9-07